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Administrative and budgetary aspects of the financing of the United Nations peacekeeping operations

Operational circumstances and requirements that may demand rotation periods shorter than 12 months

Report of the Secretary-General

I. Introduction

1. In its resolution 67/261, the General Assembly approved the conclusions and recommendations contained in the report of the Senior Advisory Group on rates of reimbursement to troop-contributing countries and other related issues (A/C.5/67/10, sect. IV), subject to the provisions contained in that resolution.

2. In paragraph 108 (b) of its report, the Senior Advisory Group recommended that:

> "In the interest of both effective peacekeeping and to facilitate this payment, the Group further recommends that, from 1 April 2013, the typical rotation period be set at 12 months, except in cases where the Secretary-General determines that operational circumstances and requirements demand otherwise."

With the adoption of General Assembly resolution 67/261, the typical rotation at the expense of the United Nations was set at 12 months. The Secretary-General will exercise the discretion accorded to him by the Assembly to determine exceptions to this standard, bearing in mind the considerations set out in paragraph 7 below.

3. In paragraph 7 of its resolution 67/261, the General Assembly, recalling the above recommendation of the Senior Advisory Group, requested the Secretary-General to submit to it, prior to the conclusion of the second resumed part of its sixty-seventh session, a report setting out the criteria by which he would make determinations on the operational circumstances and requirements that may demand rotation periods shorter than 12 months in the future. The Assembly also requested the Secretary-General to consider comments received from troop- and police-contributing countries and other Member States, including on how to address existing legal impediments. In keeping with that request, a note verbale dated 23 May 2013 was sent by the Secretariat to all Member States seeking comments in order to prepare the above-mentioned report requested by the Assembly. The

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Secretariat was notified on 30 May 2013 that a number of Member States required additional time to offer their comments. As at 25 July 2013, eight countries had provided comments.

II. Overview

4. The determination of the length of deployment to United Nations peacekeeping of contingent personnel and formed police units is the national prerogative of each individual troop- or police-contributing country. It has been the practice of the United Nations to budget for the rotation of contingents every six months. The rotation of contingent personnel and formed police units is conducted either through reimbursement under a letter of assist, through the purchase of commercial air tickets by the United Nations or by using the United Nations own air transport arrangements. There has been no established United Nations policy on rotation length defining a "typical" rotation period. Rather, the United Nations has established a financial practice whereby the cost of six-month rotations is financed by the budget of the United Nations mission to which the troops or police are deployed.

5. The decision on the length of deployment is made by each individual contributing country based on its national legislation and/or national practice. Comments received from Member States indicate a number of different factors that determine the decisions made by contributing countries, such as: the need to ensure adequate predeployment training, including: specialist medical training; the impact of the length of deployment on the health and welfare of troops; the requirements of the national military; and the need for flexibility in workforce management. Some Member States that currently generate personnel for peacekeeping missions based on a six-month deployment period have reported that the change to a 12-month standard rotation would create operational challenges, limit flexibility and serve as an impediment to their continued ability to contribute personnel to United Nations operations. A number of Member States also commented that a longer rotation period could lead to a decline in individual personnel willing to volunteer to participate, which could, in turn, have a negative impact on the quality of the personnel deployed.

6. Rotation arrangements are set out in the troop-contributing country/police-contributing country guidelines, which are annexed to the separate memorandums of understanding concluded between the troop- or police-contributing countries and the United Nations. In addition, operational and logistical aspects are considered when planning the rotation cycles within each mission and with each troop- or police-contributing country in order to ensure continuity of mission operations.

7. In its resolution 67/261, the General Assembly established a typical rotation period of 12 months, whereby the financial practice would be adjusted to cover the costs of rotations every 12 months, except in cases where the Secretary-General determined that operational circumstances and requirements demanded otherwise. In such cases, the financial practice would deviate from the typical 12-month cycle. In exercising this discretion, the primary consideration would be the need to ensure operational effectiveness in the delivery of a mission's mandate and when circumstances on the ground were beyond the usual operational control of the mission. Having taken comments received from Member States into account, the Secretary-General would apply the following criteria in determining the exceptional

circumstances whereby there may be a need for a rotation cycle shorter than 12 months at the expense of the United Nations:

(a) The demands of the mandate require specific operational capabilities that can only be available or functional for a limited period, for example, highly specialized flight crews and mechanics that require continuous training in areas of operation that have limited technical support;

(b) High-tempo operations, including the targeting of peacekeepers, which expose troops to elevated levels of fatigue and risk that have a detrimental impact on the health of contingents;

(c) High incidence of illness and casualties;

(d) Prolonged periods of deployment in remote locations provisioned through long supply lines, under conditions of isolation and extreme environmental conditions;

(e) Extremely limited life support (for example, very limited medical facilities, lack of infrastructure or lack of hard-walled accommodations);

(f) Other conditions that might arise that would impact on a mission's operational effectiveness and ability to deliver its mandate.

8. Decisions on exceptions to a typical 12-month rotation would be taken on the basis of a review of existing periodic assessment and reporting processes, including technical assessment missions, military capability studies or other mission reviews. A determination that operational circumstances and requirements demand a rotation period other than 12 months financed by the United Nations will be made by the Under-Secretary-General for Peacekeeping Operations, under the authority delegated by the Secretary-General and after consultation, as appropriate, with the Special Representative of the Secretary-General/Head of Mission and, through him/her, the Force Commander or Police Commissioner, as appropriate, as well as with the Office of Operations and the Military Adviser or Police Adviser, as appropriate. The decision will be based on and documented with data that is verifiable and transparent. Such data may include mission situation reports, mission reviews, on-site inspections and information contained in notifications of casualties. A troop- or police-contributing country may initiate a request providing the supporting reasons, including data, for the determination of a rotation period of other than 12 months to be financed by the United Nations.

III. Legal impediments

9. The Secretariat understands that the legal framework governing the deployment of national troops overseas, including to United Nations field operations, differs from country to country. In accordance with section I, paragraph 7, of General Assembly resolution 67/261, by the note verbale dated 23 May 2013 the Secretariat has also sought the comments of Member States on, inter alia, how to address existing legal impediments.

10. The comments received from Member States indicate a number of national legal and administrative challenges raised by changing the length of deployment, including creating an inconsistency with national regulations on the payment of allowances. In one case, the national legislation governing the deployment of

personnel to United Nations operations gives priority to voluntary participation, whereby a 12-month rotation period may lead to a decline in volunteers for peacekeeping, which could, in turn, have a negative impact on the ability of Member States to contribute troops and police.

IV. Other considerations

11. The rotation of troops or formed police units for periods other than 12 months will be made under the provisions set out in section I, paragraphs 4, 5 and 6, of General Assembly resolution 67/261 and against the criteria set out in the present report. The duration of deployment would be established in consultation with the concerned troop- or police-contributing country during the force-generation process.

12. Section I, paragraph 5, of resolution 67/261 provides that Member States that were contributing less than 3 per cent of contingent personnel (as deployed as at 31 December 2012) to United Nations peacekeeping, may request a continuation of existing rotation arrangements until 30 June 2015. As at 25 July 2013, 10 eligible countries have requested and been granted this exemption.

13. For operational and budgetary planning purposes and as a general practice, decisions about tours of duty and the duration of deployment need to be made in advance of deployment to enable adequate planning and budgetary provision on the part of both the United Nations and the troop- or police-contributing country. The timing of rotations also needs to be properly managed to ensure continuity and predictability for the mission to which the troops are deployed in order to preserve the mission's ability to fulfil its mandate.